

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:02CR210
	)	
v.	)	
	)	
PERDIS COTTON,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter is before the court on defendant Perdis Cotton's "Motion for Re-Consideration." On April 23, 2008, based on the stipulation of the parties, [Filing No. 91](#), this court entered an order reducing the defendant's sentence from an offense level of 38 to an offense level of 36, and reduced the previously imposed sentence of 150 months to 118 months. [Filing No. 93](#). The defendant's motion for reconsideration argues that his re-sentencing should reflect under that a sentence enhancement was not proven beyond a reasonable doubt.

Because the defendant stipulated that the new sentence under the amended guidelines should be "118 months base on the prior computation of specific offense characteristics, adjustments, and departures," the motion for reconsideration is denied.

IT IS ORDERED that defendant Perdis Cotton's "Motion for Re-Consideration," [Filing No. 95](#), is denied.

DATED this 16<sup>th</sup> day of May, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge